

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

COASTAL MARINE MANAGEMENT, LLC)
d/b/a BOSTON HARBOR SHIPYARD AND)
MARINA)
Plaintiff,)

vs.)

CIVIL ACTION NO. 1-16-cv-11616

M/V SEA HUNTER (O.N. 598425), her)
engines, tackle, apparel, appurtenances, etc., *in rem*,)
SEA HUNTERS LP, *in personam*, GREGORY)
BROOKS, *in personam*)
Defendants.)

**AMENDED ORDER FOR THE INTERLOCUTORY SALE OF THE DEFENDANT
VESSEL**

TO THE UNITED STATES MARSHAL FOR THE DISTRICT OF MASSACHUSETTS OR
HIS DEPUTIES:

WHEREAS, this Court has reviewed the Motion for the Interlocutory Sale of the M/V
SEA HUNTER and for Order Granting Plaintiff the Right to Credit Bid up to the Amount of the
Indebtedness and the supporting papers filed by plaintiff, Coastal Marine Management, LLC
d/b/a Boston Harbor Shipyard and Marina, in the above-captioned matter;

WHEREAS, Defendant, Sea Hunters LP, as owner of the motor vessel SEA HUNTER,
official number 598425, her engines, machinery, tackle, apparel, furniture, equipment, rigging,
and all other necessary appurtenances thereto (hereinafter referred to as "Vessel") has
unreasonably delayed in securing the release of the Vessel;

WHEREAS, the expenses of the arrest and the keeping of the Vessel *in custodia legis* are
continuing;

WHEREAS, pursuant to the provisions of Rule E(9)(a)(i) of the Supplemental Rules for Admiralty of Maritime Claims of the Federal Rules of Civil Procedure there is good cause to order that the Vessel be sold; and,
Accordingly, it is hereby:

ORDERED, that the Vessel shall be sold by the United States Marshal for the District of Massachusetts, or one of his deputies, at public auction, free and clear of all liens and encumbrances, to satisfy the costs and expenses of the United States Marshals Service and the substitute custodian, and to satisfy, in whole or in part, the judgment which plaintiff and other interested parties, if any, seek to have entered in this matter.

YOU ARE THEREFORE COMMANDED TO:

1. Sell the Vessel at public auction for the highest price that can be obtained, free and clear of all liens and encumbrances. The sale which is subject to confirmation by the District Court is to be held at Boston Harbor Shipyard and Marina, 256 Marginal Street, East Boston, MA 02128, on October 4, 2017 at 1:00 PM.

2. Require plaintiff to give notice of the date, time, and place of the sale, in substantially the form attached hereto as Exhibit A, to (i) the owner and all lien and mortgage claimants of record by first class mail¹ and (ii) the public-at-large by: (a) advertising same at least once per week for two successive weeks in a newspaper of general circulation within this District (i.e. the *Boston Globe*), the first advertisement in the publication to be at least seven (7) days prior to the Court ordered sale date; and, (b) advertising same at least once in *Boats and Harbors*.

¹ Plaintiff is ordered to obtain a further abstract of title for the Vessel from the National Vessel Documentation Center if a sale is granted in order to ensure that no further maritime lien claimants have filed Notices of Claims of Lien and to give notice of the sale to those persons or entities in the unlikely event that they have made such a filing.

3. Require the highest qualified bidder at the sale to deposit with the United States Marshals Service the sum of \$30,000.00 in certified check payable to the United States Marshal for the District of Massachusetts, with the balance to be paid at or before the confirmation hearing.

4. Pay or deliver into the Registry of the District Court any and all monies or notes received as a result of the sale.

5. Prepare such documents and reports as may be necessary for the confirmation of the sale by the District Court. The confirmation hearing shall be held at the United States District Court of Massachusetts at Boston on the 10th of October, 2017, at 11am. The time and date of the confirmation hearing shall be set forth in the notice of sale to the owner, the notice of sale to mortgage and lien claimants of record, and announced to the public-at-large at the sale.

Dated at Boston, Massachusetts on this 24 day of August, 2017.

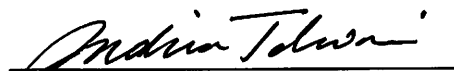

Indira Talwani
United States District Judge

EXHIBIT A

Notice of Public Auction of Vessel

In re: Coastal Marine Management, LLC d/b/a Boston Harbor Shipyard and Marina v. M/V SEA HUNTER, (O.N. 598425), her engines, tackle, apparel, appurtenances, etc., *in rem*, et al., Civil Action No. 1-16-cv-11616-NMG, notice is hereby given that the M/V SEA HUNTER, (O.N. 598425), her engines, tackle, apparel, appurtenances, etc., will be sold at public auction pursuant to the Amended Order for the Interlocutory Sale of the Defendant Vessel by the United States District Court of Massachusetts. The sale will be conducted at Boston Harbor Shipyard and Marina, 256 Marginal Street, East Boston, MA 02128 on October 4, 2017 at 1:00 PM. The sale is subject to a confirmation hearing after the sale at the United States District Court of Massachusetts at Boston. The Vessel will be sold free and clear of all liens and encumbrances in its current "as is, where is" condition, without any representation and warranty, express or implied, as to its merchantability or fitness, except as to title. The successful high bidder will be required to deposit \$30,000.00 in certified check payable to the United States Marshal for the District of Massachusetts at the time of the sale. Said deposit will be non-refundable in the event that the successful bidder fails to tender the balance of the purchase price on the date of the Court's confirmation of sale. Interested persons are encouraged to contact Samuel P. Blatchley, Esq. at Holbrook & Murphy at 617-428-1151 or sblatchley@holbrookmurphy.com if they would like to inspect the Vessel or if they require any further information.